

REMARKS/ARGUMENTS

Upon entry of the above amendment, claims 20 and 21 will have been amended, and claims 26 and 27 will have been submitted for consideration by the Examiner. Thus, claims 19-27 are now pending in the present application. Applicant respectfully requests reconsideration of the outstanding rejections of the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided.

Applicant further notes with appreciation the Examiner's acknowledgment of Applicant's Information Disclosure Statements filed in the present application on November 7, 2001 and September 24, 2003 by the return of the initialed and signed PTO-1449 Forms, and for consideration of the documents cited in these Information Disclosure Statements.

However, Applicant has also filed an Information Disclosure Statement in the present application on September 29, 1999. Accordingly, Applicant respectfully requests that the Examiner send copies of the signed PTO-1449 Forms attached to this Information Disclosure Statement to Applicant with the next Official Action.

Turning to the merits of the action, the Examiner has rejected claims 19, 22, 24, and 25 under 35 U.S.C § 102(e), as being anticipated by SMITH et al. (U.S. Patent No. 6,463,462). The Examiner also rejected claim 20 under 35 U.S.C § 102(e), as being

anticipated by SMITH et al. (U.S. Patent No. 6,463,462). The Examiner further rejected claims 21 and 23 under 35 U.S.C § 103(a) as being unpatentable over SMITH et al. (U.S. Patent No. 6,463,462) in view of BOBO, II (U.S Patent No. 5,675,507).

As noted above, Applicant has amended claims 20 and 21 to eliminate a minor informality.

Applicant respectfully traverses the above rejections based on the pending claims 19-27 and will discuss the rejection with respect to the pending claims in the present application as will be set forth herein below. The amendments to the claims merely clarify the subject matter, but do not narrow the scope of the claims.

Applicant's claims relate to an image data transmitting apparatus that has a memory in which an e-mail address of a recipient and an address of a server corresponding to the e-mail address of the recipient are stored, and a file converter that converts image data into a predetermined plurality of file formats, the data of each file format including all of the image data. The image transmitting apparatus includes a transmitter that determines the server corresponding to the recipient when the e-mail address of the recipient is input, transmits to the server the data in each of the predetermined plurality of file formats and transmits to the recipient, by e-mail, the address of the server in which the data in the predetermined plurality of file formats corresponding to the image data is stored. Thus, Applicant's transmitting apparatus

includes the file converter and the transmitter which transmits the plurality of data files to the server and the address of the appropriate server to the recipient.

Applicant's invention is also directed to an image receiving apparatus connected to an image transmitting apparatus through a network including at least one server. The server is configured to store image data to be received in a predetermined plurality of file formats, data of each file format including all of the of the image data. The image receiving apparatus receives an e-mail of an address of a server in which the image data to be received is stored, accesses the server by using said address to select image data that is stored in a file format corresponding to the capability of the image receiving apparatus and to extract the image data of said selected file format from said server.

On the contrary, SMITH et al. disclose an automated system which includes a UN client, a UN server, and a recipient. The UN client presents a user with a universal message form. The user creates a message on the universal message form. The UN client sends the message to the UN server. The UN server converts the message into a proper communication format for the recipient, based on recipient information. The UN server sends the converted message to the recipient. The recipient responds to the UN server.

However, the UN client of SMITH et al. does not convert the message into a plurality of file formats. Rather, the UN server of SMITH et al. converts the message into the plurality of file formats. On the other hand, claims 19-21, 24, and 26-27 of the pending invention relate not to a server, but to a transmitting apparatus which can be considered to correspond to the UN client of SMITH et al.

Moreover, the UN server of SMITH et al. converts the message into the proper communication format for the recipient, based on recipient information. On the other hand, claims 19-21, 24, and 26-27 of the pending invention recite a file converter that converts image data into a predetermined plurality of file formats, since the transmitting apparatus of the claims 19-21, 24, and 26-27 does not know the proper format for the recipient.

Thus, SMITH et al. does not disclose an image data transmitting apparatus which converts image data into a predetermined plurality of file formats, the data of each file format including all of the image data. SMITH et al. also does not disclose an image data transmitting apparatus which transmits to the server the data in each of the predetermined plurality of file formats and transmits to said recipient, by e-mail, the address of the server in which the data in the predetermined plurality of file formats corresponding to the image data is stored.

Further, the recipient of SMITH et al. does not select image data stored in the server and does not extract the image data of the selected file format from the server, since the UN server sends the message to the recipient. Thus, SMITH et al. does not disclose an extractor which accesses the server by using the address of the server, selects image data that is stored in a file format corresponding to the capability of the image receiving apparatus, and extracts the image data of said selected file format from said server, as cited in claims 22, 23, and 25 of the present invention.

Thus, it is respectfully submitted that the features recited in Applicant's claims 19-27 are not also disclosed in SMITH et al. cited by the Examiner.

Furthermore, as explained in the remarks filed on June 25, 2003, BOBO,II selects only one type of format from a plurality type of formats when it converts messages, but doesn't convert the same message into a plurality of file formats, each file format including all of the image data so that a recipient can select from the server, the data in a file format corresponding to the image receiving apparatus' capability. Thus, it is respectfully submitted that the features recited in Applicant's claims 19- 27 are not also disclosed in BOBO,II cited by the Examiner.

The combinations of the pending claims are clearly distinct from combination of SMITH et al. and BOBO,II , since neither SMITH et al. nor BOBO,II discloses the above features recited in Applicant's claims. Thus, the pending claims are submitted to be patentable over the Examiner's proposed combination.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and an indication of the allowability of all the claims pending in the present application in due course.

SUMMARY AND CONCLUSION

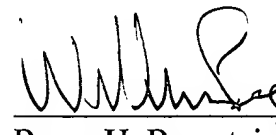
Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has made minor changes to several claims and has submitted two new dependent claims for consideration by the Examiner. With respect to the pending claims, Applicant has pointed out the features thereof and has contrasted the features of the new claims with the disclosure of the references. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application in due course.


Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

P18153.A12

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Toshihisa SAWADA


Bruce H. Bernstein
Reg. No. 29,027

 Reg. No. 33630

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191